

REMARKS AND ARGUMENTS

Claims 1-8 and 11-18 are pending in the present application, of which claims 1 and 17 are independent. This Amendment has made no change in the claims. Applicant files herewith the Declaration of Dr. Fanwen Zeng. Applicant thanks the Examiner for the interview conducted January 16, and for providing an Interview Summary as part of the record.

The specification was objected to for not supporting the weight percent basis of the comonomer amounts. Applicant has amended the specification to state this explicitly. The Examiner stated in the interview that such an amendment to the specification based on the Declarations and data submitted previously would not be new matter.

Claims 1-10 were rejected under 35 U.S.C. § 103 over Fealy et al. in view of Laryea et al. Applicant respectfully traverses this rejection.

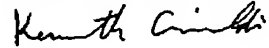
Fealy teaches a dispersant polymer containing ethyl acrylate (EA), butyl acrylate (BA) or methyl methacrylate (MMA). There is no suggestion that any monomer(s) in this group would be preferred over others. In contrast, the present invention recites only C₂-C₄ alkyl (meth)acrylates, which encompasses EA and BA, but not MMA. The Declaration of Dr. Zeng demonstrates that a polymer made with MMA in place of EA does not provide the desired benefits obtained with the EA-containing polymer. Applicant's unexpected results show that MMA is not suitable, despite its preferred status in Fealy, and therefore Fealy cannot render the present invention obvious.

The Office Action states that criticality of acrylic acid (AA) content in the polymer, rather than methacrylic acid (MAA) has not been established. The Declaration of Dr. Zeng provides data demonstrating that in the absence of AA the desired properties cannot be obtained. A direct comparison was made of a polymer made with 30% MAA and one made with 10% MAA and 20% AA, with other monomer amounts the same. The polymer lacking AA does not provide the desired properties.

Applicant believes that the foregoing amendments and arguments have overcome the rejections. However, if the Examiner has any further objections to the application, Applicant respectfully requests that the Examiner contact Applicant's undersigned attorney by telephone at (847) 649-3891 to discuss the remaining

issues.

Respectfully submitted,



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